

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Protect the Right To Use Solar Energy

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 35-A MRSA §10009 is enacted to read:

§ 10009. Use of solar collectors and equipment for solar drying of clothing

Notwithstanding any other provision of law, a public or private entity, as appropriate, may not adopt or enforce any law, ordinance, bylaw, rule, deed restriction, covenant, declaration, contract or other binding agreement or regulatory measure that prohibits or has the effect of prohibiting a person from installing or using solar collectors or clothes lines or other equipment for the solar drying of clothing.

When necessary to protect access to buildings, to protect historic or aesthetic values or to ensure rapid evacuation of buildings in case of fire or other emergency, a public or private entity may use its powers or rights to limit the installation and use of solar collectors or clothes lines or other equipment for the solar drying of clothing by a person if the entity provides the person with alternatives that do not impair the effective installation and use of the solar collectors or clothes lines or other equipment for the solar drying of clothing.

Any provision within a law, ordinance, bylaw, rule, deed restriction, covenant, declaration, contract or other binding agreement or regulatory measure in existence on the effective date of this section that conflicts with this section is void as of the effective date of this section.

In any litigation arising under the provisions of this section, the prevailing party is entitled to costs and reasonable attorney's fees.

SUMMARY

This bill prohibits restriction by law, ordinance, regulation, deed, covenant or contract on the installation and use of solar collectors, clothes lines and other equipment for the solar drying of clothing.